

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:22-cr-36-MOC**

UNITED STATES OF AMERICA,

vs.

KENDALL CHARLES ALEXANDER, SR.,

Defendant.

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ORDER

THIS MATTER is before the Court on Defendant's Pro Se Motion to Dismiss Indictment with Prejudice, (Doc. No. 93), and on Defendant's Ex Parte Motion to Exercise Discretion under L.Cr.R. 47.1(g) and Entertain Pro Se Motion. (Doc. No. 98).

The Court notes that, while the Ex Parte Motion was filed through Defendant's current counsel David Burgess, Burgess has filed a Motion to Withdraw as Attorney, and that motion is pending before the magistrate judge. (Doc. No. 94). The Court advises the parties that, when and if Burgess is relieved as counsel, and when Defendant is proceeding again pro se, the Court will entertain Defendant's Pro Se Motion to Dismiss Indictment with Prejudice. In the meantime, the Court will order the Government to respond to Defendant's Pro Se Motion to Dismiss Indictment with Prejudice.

ORDER

IT IS HEREBY ORDERED that within 20 days the Government shall file a response to Defendant's Pro Se Motion to Dismiss Indictment with Prejudice.

Signed: October 13, 2023

A handwritten signature in black ink, appearing to read "Max O. Cogburn Jr.", written over a horizontal line.

Max O. Cogburn Jr.
United States District Judge

